

Notice of Allowability

Application No.

10/663,886

Examiner

Winter E Gentle

Applicant(s)

RICHARDSON, CHARLES A.

Art Unit

1746

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment dated July 6, 2004.
2. ☒ The allowed claim(s) is/are 1-14 and ~~15~~ 26 renumbered as 1-25.
3. ☒ The drawings filed on 17 September 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 091703
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date July 6, 2004.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☒ Other copy of paper 070604.

DETAILED ACTION

PRELIMINARY AMENDMENT

1. The preliminary amendment, a copy of which has been appended to the interview summary, clarifies minor informalities and clarifies that the present invention relies on a means other than heat to remove the Backcoat of a magnetic recording media.

REASONS FOR ALLOWANCE

2. The following is an examiner's statement of reasons for allowance:
3. Claims 1-14 and 16-26, renumbered as 1-25 are allowable. The claims, as allowed, reflect the preliminary amendment submitted July 6, 2004.
4. Applicant has done a good job of addressing the shortcomings of the prior art of record, in applicant's "Background" section of the current application. The novelty of the present invention includes the recognition of the source of the "sticky shed" problem and a solution, which has not been contemplated. That is, the removal of the Backcoating. The solution of the prior art relies on heating the tape. As applicant has pointed out, there are attendant disadvantages of this system and the solution provided in the prior art is only temporary. The present invention provides a novel solution--removal of the Backcoat. This solution is not contemplated in the prior art of record.

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5. United States Patent No. 5,830,556 discloses that the removal of magnetic recording media Backcoat is known, but its utility for the remedying "sticky shed" syndrome is not disclosed, nor is there recognition that the removal of the Backcoat would solve the problem. It is also noted that the reference discloses that the tape is cut "into pieces", a step that would be incompatible with the present invention as claimed.

6. The determination of patentability is predicated on the inclusion of the preamble as a material part of claim. The claim makes no sense without the inclusion of the preamble.

7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Winter E Gentle whose telephone number is (571) 272 1310. The examiner can normally be reached on Monday through Friday.

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9. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mike Barr can be reached on (571) 272 1414. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Questions on access to the Private PAIR system should be directed to the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Winter E Gentle
Examiner
Art Unit 1746

July 7, 2004

MICHAEL BARR
PRIMARY EXAMINER

A handwritten signature in black ink, appearing to read 'Michael Barr', is written over a long, horizontal, slightly curved line that serves as a baseline for the signature.